

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

IRIS KITCHEN,

Plaintiff,

vs.

**DEVELOPMENTAL SERVICES OF
NEBRASKA, INC., AUTISM CENTER OF
NEBRASKA, INC., and OMNI
BEHAVIORAL HEALTH,**

Defendants.

8:20CV08

ORDER

This case is before the Court on the motion (Filing No. 260) filed by Plaintiff, pro se. Plaintiff makes two requests: (1) Plaintiff requests the full audio “cd” for Filing No. 121 and (2) requests a hearing as she “needs clarification where we are with the trial.”

Filing No. 121 is dated December 2, 2021, and is a “Text Minute Entry” noting that counsel for Defendant Omni Behavioral Health did not appear for the telephone conference scheduled on that date. Because all parties were not present, the Court did not record or hold a telephone conference on this date. As noted by the minute entry, the telephone conference was continued to December 3, 2021. Therefore, to the extend Plaintiff requests an “audio cd” for Filing No. 121, it must be denied because no recording exists for the hearing that did not take place.

Plaintiff also requests a hearing to clarify the status of trial. There are currently eleven motions pending before Judge Bataillon, including Defendants’ motions for summary judgment and Plaintiff’s several motions for default judgment. The outcome of the pending motions will affect any pretrial and trial settings in this case. The Court will set a hearing to discuss the pretrial and trial settings after all pending motions are resolved, if necessary. Accordingly,

IT IS ORDERED: Plaintiff’s motion (Filing No. 260) is denied.

Dated this 14th day of October, 2022.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge